

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ARLEY MCCULLAR, et al.,

Plaintiffs,

v.

CV No. 19-03 SMV/CG

PECOS VALLEY OF NEW MEXICO, LLC, et al.,

Defendants.

**ORDER GRANTING JOINT MOTION FOR ENTRY OF ORDER TO PRODUCE
INSURANCE POLICIES UNDER CONFIDENTIAL PROTECTIVE ORDER**

THIS MATTER is before the Court on the parties' *Joint Motion for Entry of Order to Produce Insurance Policies Under Confidential Protective Order* (the "Motion"), (Doc. 50), filed June 24, 2019. After reviewing the Motion, and noting it is filed jointly, the Court finds the Motion is well-taken and shall be **GRANTED**.

IT IS THEREFORE ORDERED that:

1. Pecos Valley of New Mexico, LLC's insurance policies are agreed by the parties to be confidential and non-disclosable. The policies ("CONFIDENTIAL DOCUMENTS") shall be kept confidential.
2. Pecos Valley of New Mexico, LLC shall produce the CONFIDENTIAL DOCUMENTS with an unobstructive designation that the document is "CONFIDENTIAL—SUBJECT TO PROTECTIVE ORDER."
3. The only persons allowed access to the Pecos Valley of New Mexico, LLC's insurance policies will be parties to this action who are natural persons, those attorneys, employees, agents, or experts of the parties who have a legitimate need to access the documents or information, insurers of a party, deponents or witnesses

during a deposition or hearing, court reporters, and videographers. Any individuals permitted access to Pecos Valley of New Mexico, LLC's insurance policies shall be provided a copy of this Order and made aware that they are bound by its terms.

4. Pecos Valley of New Mexico, LLC's insurance policies shall not, without the consent of Pecos Valley of New Mexico, LLC or further Order of the Court, be disclosed or disseminated in any manner whatsoever to the public or any parties except in accordance with this Order.

5. Pecos Valley of New Mexico, LLC's insurance policies may be used as an exhibit during the course of a deposition in this lawsuit so long as it is clearly identified as Confidential on the deposition record and any such deposition exhibit or testimony regarding such exhibit shall not be filed with the Court except in accordance with the provisions of Paragraph 6 of this Order.

6. If any party intends to cite or attach any portion of Pecos Valley of New Mexico, LLC's insurance policies to a pleading filed of record in this matter, the party shall file the pleading and attachments thereto confidentially and under seal. The Court Clerk is hereby authorized to accept such filings under seal and keep such records sealed from public disclosure. If the Court Clerk rejects the filing, then Pecos Valley of New Mexico, LLC shall file a motion to allow the documents to be filed under seal. At all times, the burden of filing the documents under seal shall rest upon Pecos Valley of New Mexico, LLC.

7. At the conclusion of this litigation, the parties shall maintain confidentiality of the documents identified above.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE